

**DRAFT**

**Administrative Modification  
(Gap Analysis)**

**to**

**2004 Regional Transportation Plan  
(as amended in July 2006)**

**In compliance with the Planning Requirements  
of  
Safe, Accountable, Flexible, Efficient,  
Transportation Equity Act – A Legacy for Users  
(SAFETEA-LU)  
Enacted on  
August 10, 2005**



**SOUTHERN CALIFORNIA  
ASSOCIATION of GOVERNMENTS**

November 2006

## **Outline for 2004 RTP Administrative Modification for SAFETEA-LU Compliance**

- I. Introduction
- II. SAFETEA-LU Requirements Addressed in the 2004 RTP
  - 1. Fiscal Constraint
  - 2. Consultation and Cooperation
  - 3. Interested Parties and Participation
  - 4. Electronic Publication and Access to Plans
  - 5. Visualization Techniques
- III. Addressing the Gaps
  - 1. Metropolitan and Statewide Transportation Planning:
    - A. Safety
    - B. Security
    - C. Environment Planning Factor
  - 2. Environmental Mitigation
  - 3. Consultation and Cooperation
  - 4. Transportation Facilities
- IV. Reaffirming the Valid Portions of the Current Plan
  - 1. Transportation Conformity
  - 2. Fiscal Constraint
  - 3. Environmental Impact
- V. Conclusion

### Appendices:

- A. FHWA Gap Analysis Matrix
- B. Draft Public Participation Plan
- C. Comparison of the 2004 RTP to Existing and Known Resources
- D. Expanded Consultation Conducted in October 2006

# **I. Introduction**

The Safe, Accountable, Flexible, Efficient Transportation Equity Act-A Legacy for Users (SAFETEA-LU) was signed into law by President George W. Bush on August 10, 2005. SAFETEA-LU presents opportunities as well as challenges in strengthening the existing State and Metropolitan Planning Organization (MPO) transportation planning processes. The Southern California Association of Governments (SCAG), as the MPO for six counties in Southern California, supports and embraces the new requirements and clarifications to existing requirements promulgated through SAFETEA-LU. SCAG believes SAFETEA-LU presents a valuable opportunity to fine tune and strengthen its transportation plans and programs as well as associated planning processes.

This document represents an administrative modification to SCAG's 2004 Regional Transportation Plan (RTP). The intent is to bring the 2004 RTP into compliance with the planning requirements of the SAFETEA-LU.

SAFETEA-LU extends the RTP update cycle from three to four years for metropolitan planning areas that are designated as nonattainment or maintenance. The SCAG Regional Council adopted its RTP in April 2004 and under the four-year update provision, SCAG would need to update its plan by no later than April of 2008. This time extension allows SCAG to update the RTP in a meaningful and value added manner by including the results of critical studies being conducted in the areas of freight and goods movement, high speed rail, and land use. It also allows SCAG to fully utilize its new travel demand and truck models for RTP analysis and incorporate developments in the finance areas (e.g., the November State ballot for an almost \$20 billion bond). More importantly, the four-year update cycle allows adequate lead time for the next RTP to fully comply with the new emission budgets for the region that are expected to be finalized by the Fall of 2007. Thus the extension in update cycles to 2008 is beneficial for SCAG and its stakeholders alike.

However, SAFETEA-LU also establishes July 1, 2007 as the deadline by which State as well as MPO plans and programs must comply with these expanded planning requirements. The potential implication of not complying with this statutory deadline is that meaningful amendments to the existing plans and programs may not be allowed until an RTP and Regional Transportation Improvement Plan (RTIP) compliant with the provisions of SAFETEA-LU are in place. For a region as large and diverse as SCAG, this gap between the start of the SAFETEA-LU requirements in July 2007, and the projected date of an updated RTP in April 2008, could jeopardize timely delivery of projects worth billions of dollars.

SCAG has held numerous discussions with Federal Highway Administration (FHWA) representatives in California as well as Washington, D.C. and with other impacted agencies such as the Ohio Department of Transportation, San Diego Association of Governments and Metropolitan Transportation Commission (MTC) in the Bay Area, to develop a strategy to address these risks.

As a result of these discussions, SCAG concluded that the best approach to meeting the 2007 deadline, while at the same time permitting the 2008 RTP to benefit fully from the Region's ongoing planning studies, was to prepare an administrative modification to its 2004 RTP as well as 2006 RTIP to bring them into compliance with SAFETEA-LU. This modification would, upon approval by FHWA and the Federal Transit Administration (FTA), bring the 2004 RTP in compliance with SAFETEA-LU. Once this is achieved, the RTP and RTIP would no longer face the risk of being frozen during the gap period between the 2007 deadline for compliance with SAFETEA-LU and the adoption of a new RTP in 2008.

Since SAFETEA-LU became effective, the federal agencies responsible for implementing this bill have issued a number of interim guidance documents. Furthermore, a Notice of Proposed Rule Making related to SAFETEA-LU was issued on June 9, 2006. In preparing this administrative modification, SCAG staff reviewed and analyzed all of these documents thoroughly, including the SAFETEA-LU bill. Staff also held several meetings with federal representatives at various levels for guidance and clarification purposes. Furthermore, staff communicated SCAG's position as well as its intent to prepare a gap analysis to the federal representatives in writing. Based on the review and analysis of all pertinent and available documents related to SAFETEA-LU, SCAG staff prepared a matrix identifying key issues, an assessment of whether or not the 2004 RTP addressed the issue and any additional actions that would be necessary to ensure compliance of the 2004 RTP with SAFETEA-LU requirements.

Subsequently, FHWA issued its own "Gap Analysis matrix" that provided guidance to agencies as to how to meet the new SAFETEA-LU requirements. The FHWA matrix formed the basis for the contents of this document and is attached as Appendix A.

In developing this administrative modification, staff also consulted with appropriate technical and policy committees within SCAG, including the Plans and Programs Technical Advisory Committee, the Transportation Conformity Working Group, and the Transportation and Communications Committee (TCC). Prior to finalizing this document, a preliminary draft will be presented to the TCC in December 2006. SCAG's Regional Council is expected to adopt this RTP modification and forward it to FHWA/FTA in March 2007 for certification.

Based on the discussions with FHWA and FHWA's Gap Analysis Matrix, the remainder of this document has been organized as follows:

- Section II identifies and discusses SAFETEA-LU planning requirements that were adequately addressed in the 2004 RTP
- Section III addresses potential gaps in the 2004 RTP relative to SAFETEA-LU
- Section IV reaffirms the remainder of the 2004 RTP, including conformity, finance plan, and environmental impact report
- Section V summarizes the conclusions of this administrative modification

# **I. SAFETEA-LU Requirements Addressed in the 2004 RTP**

This section identifies and briefly discusses the SAFETEA-LU requirements that were fully addressed in the 2004 RTP. The order of the requirements is based on the FHWA Gap Analysis matrix presented in Appendix A and are as follows:

## **1. FISCAL CONSTRAINT**

SAFETEA-LU included a provision for the addition of transit operators in funding estimates to the overall RTP. For the 2004 RTP, funding estimates were developed in cooperation with the Region's transit operators, utilizing their short-range transit plans to the extent possible and incorporated their inputs from various task forces (i.e. Transit Task Force and the Transportation Finance Task Force).

## **2. CONSULTATION AND COOPERATION**

The federal guidance for implementing SAFETEA-LU (71 FR 33521; June 9, 2006) identified consultation requirements as including, but not limited to, providing timely information, reasonable public access, and adequate public notice. During the 2004 RTP Programmatic Environmental Impact Report (EIR) planning process, SCAG notified approximately 1,500 stakeholders including land use management, natural resource, environmental protection, historic preservation, and conservation agencies, from local jurisdictions and tribal representatives, as identified in SAFETEA-LU. Section 6.0 of the 2004 RTP Draft EIR included a listing of the organizations and persons consulted during the planning process. Section 2.0 of the 2004 RTP Final EIR included a list of commenting individuals and organizations and provided responses to the letters received on the Draft 2004 RTP EIR during the comment period.

Furthermore, notifications were also sent to every federal agency involved in approving or funding the listed projects. The notice provided key state and federal agencies and the California Office of Planning and Research with sufficient information, including descriptions of projects and the potential environmental impacts so as to enable the responsible agencies to provide a meaningful response. The notice also included a description of the RTP, a map of the Region impacted by the RTP, and the probable environmental effects of the projects. SCAG also conducted a scoping meeting and provided notice to all counties and cities within the SCAG region, to those communities in the bordering areas, all public agencies with jurisdiction in the project areas, and all other interested parties. The notice is included in Section 7.1 of the Draft EIR. These consultation procedures are the standard practice of SCAG and will be continued and expanded upon during the next RTP cycle.

In addition to the extensive consultation and coordination process followed in the preparation of the environmental document associated with the 2004 RTP, SCAG also followed a rigorous process in coordinating the plan among its numerous stakeholders and interested parties. SCAG followed a bottom-up inter-agency consultation and coordination process in finalizing the 2004 RTP. The first tier of this consultation process involved the 72-member Regional Council, three policy committees and nearly twenty sub-committees and task forces within SCAG. The RTP Technical Advisory Group, the Transportation Conformity Working Group and the Regional Transportation Agencies Coalition were the key forums for inter-agency consultation. All of these bodies met regularly throughout the plan development process, allowing the stakeholders ample time and opportunities to influence the final plan. The second tier of the consultation and coordination process involved meeting and briefing key stakeholders, elected representatives, community groups and leaders on critical aspects of the plan.

Conservation plans and maps as well as inventories of natural or historic resources were considered in the 2004 RTP EIR process. The proposed plans and projects were mapped against existing conservation and resource maps on a regional scale. The following list of maps included in the 2004 RTP EIR depict SCAG's consideration of transportation investment impacts on existing natural, historical and cultural resources:

1. Land Use Patterns (Figure 3.1-1)
2. Open Space and Recreational Lands (Figure 3.1-2)
3. Location of "Prime or Important Farmland" in the SCAG Region (Figure 3.1-6)
4. Air Quality Districts, Basins, and Monitoring Stations (Figure 3.4-1)
5. Potentially Impacted Sensitive Receptors (Figure 3.4-2)
6. Designated Scenic Highways and Vista Points in the SCAG Region (Figure 3.6-1)
7. Vegetation Communities in the SCAG Region (Figure 3.7-2)
8. General Location of Wetlands in the SCAG Region (Figure 3.7-2)
9. Known Sightings or Location of Endangered, Threatened, or Rare Plant or Animal Species in the SCAG Region (Figure 3.7-3)
10. Geomorphic Provinces in the SCAG Region (Figure 3.9-1)
11. General Soil Types in the SCAG Region (Figure 3.9-2)
12. Earthquake Faults and Peak Ground Acceleration in the SCAG Region (Figure 3.9-3)
13. Areas Subject to Subsidence in the SCAG Region (Figure 3.9-4)
14. Relative Landslide Potential in the SCAG Region (Figure 3.9-5)
15. Location of Soils with Moderate to High Erosion Potential in the SCAG Region (Figure 3.9-6)
16. Major Surface Waters in the SCAG Region (Figure 3.12-2)
17. Impaired Water Bodies in the SCAG Region (Figure 3.12-3)
18. Groundwater Basins in the SCAG Region (Figure 3.12-4)
19. Areas Using Imported Water in the SCAG Region (Figure 3.12-5)
20. Federally Designated Flood Hazard Zones in the SCAG Region (Figure 3.12-7)

21. Regional Water Quality Control Board Boundaries in the SCAG Region (Figure 3.12-8)
22. Water Agencies in the SCAG Region (Figure 3.12-9)
23. Federal Nonattainment Areas for Ozone, CO, NO<sub>2</sub>, and PM<sub>10</sub> (Table 3.4-5)
24. Noise Measurement Locations in the SCAG Region (and accompanying table of measurements) (Table 3.5-2)
25. Natural Community Conservation Plan (NCCP) Designated Lands in the SCAG Region (Table 3.7-6)
26. Location of Land Grants in the SCAG Region – Spanish Period (1769-1822) (Table 3.8-3)
27. Location of Land Grants in the SCAG Region – Mexican Period (1822-1848) (Table 3.8-4)
28. National Register of Historic Places and California Historic Landmark Sites in the SCAG Region (Table 7.6)

The mapping process compared the RTP with available conservation plans and inventories of historic and natural resources. SCAG RTP projects were mapped at a large scale on top of these resources to identify any potential for conflict between the proposed projects and the identified resources. The results of this mapping and comparison were discussed in the 2004 RTP EIR and will be continued during the next RTP cycle. The key maps and databases are presented in Appendix B of this document.

### **3. INTERESTED PARTIES AND PARTICIPATION**

The SAFETEA-LU requires that a formal Public Participation Plan be developed in consultation and coordination with the "interested parties" allowing necessary public review prior to final adoption. While a Public Participation plan was not formally adopted for the 2004 RTP, a public outreach strategy was presented to SCAG's Communications Task Force prior to full scale outreach efforts associated with the plan. The outreach strategy as well as the actual outreach effort was fully documented in the Technical Appendix H of the 2004 RTP. The document clearly identified key stakeholders, impacted public agencies and community groups and other interested parties that responded to the plan as well as the development process and how their concerns were addressed.

#### **Coordination with Tribal Governments**

SAFETEA-LU has a special emphasis on involving tribal governments in transportation planning decisions. SCAG has a history of doing more than most MPOs in the nation to ensure the inclusion of Indian Tribal Governments in the decision making process. This section describes SCAG's effort in this arena.

There are 109 federally-recognized Tribal Governments in California, sixteen of which are located in the SCAG Region. Eleven of these Tribes are located in Riverside County, four are located in San Bernardino County and one is in Imperial County. Some reservations cross county and state lines. For example, Ventura County is home to a band of Quechan Indians, which also has a federally-recognized band in Arizona and California.

In recent years, both the federal and state governments have placed increasing importance on the involvement of Tribal Governments in the regional planning process. In 1997, the California Department of Transportation (Caltrans) established the Native American Advisory Committee to improve the government-to-government relationship with the Indian Tribes of California. This Committee provides advice to the Director of the Department regarding matters of interest or concern to the Tribal Governments and their constituents.

The Transportation Equity Act of the 21<sup>st</sup> Century (TEA-21) of 1998 and state transportation planning law emphasized the importance of involving Native American Tribal Governments in the regional transportation planning process. As a designated MPO under federal law and as a Regional Transportation Planning Agency under state law, SCAG must ensure that regional transportation plans and programs include a public participation process that involves Native Americans and consultation with federally-recognized Tribal Governments. As a federally defined ethnic minority, Native Americans must also be considered in the environmental justice analysis with respect to the benefits and burdens of transportation plans, programs and policies<sup>1</sup>.

SCAG is the nation's largest MPO to take the step of providing the region's federally-recognized Tribal Governments with formal representation on the region's policy-making committees. In November 2002, the SCAG Regional Council adopted a Strategic Plan to set a course for the organization through the first decade of the 21st Century. One of the goals in the Strategic Plan called for establishing a formal role for Native Americans in the regional transportation planning process. SCAG began a series of summit meetings in 2003 with leaders from the respective Tribal Governments and their representatives. The summits were designed to explain SCAG's roles and responsibilities for the Region, to encourage the Tribal Governments to provide their input regarding the Region's transportation plan, to receive input from the Tribal Governments regarding the 2004 Draft Regional Transportation Plan and to identify how the Tribal Governments could participate more effectively in the regional planning process.

In June 2004, SCAG hired a consultant to help facilitate the participation of Tribal Governments in the regional transportation planning process. As a result of the initial summit meetings with the Tribal Governments, SCAG appointed the representatives from two Tribes to SCAG's Maglev Task Force. The September

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<sup>1</sup> SCAG RFP No. 05-046.



2003, February 2004 and March 2004 Summits provided the Tribal Governments with opportunities to receive a number of presentations about various SCAG plans and programs. They were also afforded the opportunity to provide comments, especially in regard to the Draft 2004 RTP. Some of the outcomes that were initiated by SCAG as a result of the Summit meetings with the Tribal Governments included adding them to SCAG policy committee mailing lists and other communications or outreach lists to ensure that Tribal Governments were being informed of regional planning activities. In the late Spring and early Summer of 2005, SCAG convened a number of successive meetings with the Tribal Governments and their staff to further define and develop how the two could work together more effectively.

In June 2005, SCAG established a Tribal Government Relations Task Force to facilitate negotiations regarding the formal participatory framework for the Tribal Governments within the SCAG planning process. The SCAG Tribal Government Relations Task Force subsequently released draft language that documented how the Tribal Governments would participate at SCAG. The Tribal Government Relations Task Force met with the Tribal Governments to present the proposed language and to receive input. Comments from the Tribal Governments were incorporated and forwarded for approval and adoption into SCAG's by-laws.

In May 2006, SCAG's Regional Council voted to revise its by-laws to formally establish a policy-making role for the Tribal Governments in the Region. The by-laws essentially provided a total of seven voting seats on SCAG's various policy committees. The revised by-laws established a new Tribal Government Regional Planning Board that would consist of federally-recognized Tribal Governments from within the SCAG region. The purpose of selecting Tribal Government council members that are elected by the Tribes themselves, was to ensure their participation as voting members on SCAG's policy committees. With this decision, a locally elected member from the Tribal Government Regional Planning Board would also be elected to serve on the SCAG Regional Council and Administration Committee as a full voting member. In addition, two voting seats were added to each of SCAG's three policy committees.

The efforts to encourage the participation of Tribal Governments in the regional planning process is reflective of SCAG's intention to go beyond the legal requirements of: (1) public participation; (2) environmental justice and (3) consultation. SCAG recognizes that it is good planning practice and good public policy to communicate with and incorporate comments from all the communities within the Region. In light of the recent urbanization and economic activities experienced on many of the reservations, there is no question that the cooperative efforts of SCAG and the Tribal Governments have become increasingly important. These efforts will lead to new found opportunities for continued collaborative work toward regional solutions.

## **Public Participation Plan**

Public participation and communication are continuous themes and processes at SCAG. Since the adoption of the 2004 RTP and particularly in response to SAFETEA-LU, SCAG has been in the process of developing a Public Participation Plan. A draft of this plan was presented to SCAG's Transportation and Communications Committee (TCC) in October 2006 and eventually released for public review and comments. A copy of the Public Participation Plan is included in this document as Appendix C. SCAG's Regional Council will be asked to adopt this plan upon successful conclusion of the public review process. Once formally adopted by the Regional Council, this plan will guide the outreach effort during the 2008 RTP Update process.

## **4. ELECTRONIC PUBLICATION AND ACCESS TO PLANS**

All 2004 RTP products, meeting minutes, presentation materials, and comments were made available via the World Wide Web. The EIR for the 2004 RTP was placed on the SCAG website at <http://scag.ca.gov/environment/eir.htm>. The website provided access to each individual issue area as well as mitigation measures and all related maps.

All of the documents were made available in portable document format (PDF), an electronically accessible format, on the World Wide Web. Public notices included references to the electronic accessibility of plans and CDs of the RTP and EIR were produced and distributed. Both the RTP and EIR remain available on the SCAG website.

## **5. VISUALIZATION TECHNIQUES**

The latest visualization techniques were utilized in presenting and communicating plans, programs, and ideas put forth in the 2004 RTP. Power point presentations were utilized to the fullest extent possible at all outreach meetings as well as committee meetings. Static as well as interactive geographic information system (GIS) tools were utilized to simulate and depict growth patterns, infrastructure systems along with geographic and geological features. The latest analytical tools, including spreadsheets and graphing techniques were utilized to analyze and describe historic trends, fiscal outlooks, and system performance, among others. A suite of web based interactive tools were also developed specifically to simulate and evaluate various growth patterns and scenarios.

## 6. CONGESTION MANAGEMENT PROCESS

SAFETEA-LU changed U.S.C.134(i)(3) to characterize congestion management as a "process" rather than a "system" and includes other minor changes with respect to the language and areas of emphasis. The intent was to reiterate the importance of the congestion management process to Transportation Management Agency (TMA) transportation planning and programming.

Certain state laws can constitute a congestion management process if the Secretary of Transportation finds that the state laws are consistent with, and meet the intent of the legislation. California laws related to congestion management process are found under Government Code, Sections 65088 and 65099.

SCAG's congestion management program (CMP) complies with SAFETEA-LU requirements. SCAG has made the CMP an integral part of the regional transportation planning process, and has defined regional CMP elements to consist of the following:

- The Regional Transportation Plan (RTP)
- The Congestion Management Programs of individual counties
- The Regional Transportation Implementation Program (RTIP).

In addition, a set of criteria, developed by SCAG and the County Congestion Management Agencies in early 1995, ensures consistency and compatibility between the regional transportation planning process and the county congestion management process. These criteria are as follows:

- CMP consistency with the current RTP
- Interregional (inter-county) coordination between the CMPs goals and objectives
- Consistency between county-wide model/database and SCAG's model/database
- All regionally significant CMP projects are to be modeled and incorporated into SCAG's Regional Transportation Modeling System (network)

Compliance with the above criteria is essential, particularly for those CMP projects to be programmed into the SCAG RTIP.

With the exception of small portions of Riverside and San Bernardino counties, all counties contained within the TMA are designated as ozone nonattainment areas. In addition, the entire South Coast Air Basin, which covers the urbanized portions of Los Angeles, Riverside and San Bernardino counties as well as all of Orange County, is designated as a carbon monoxide nonattainment area.

Federal funds may not be programmed in the carbon monoxide and ozone non-attainment areas of the TMAs for any project resulting in a significant increase in

single occupant vehicle (SOV) capacity unless that project is based on a congestion management system (CMS). In the SCAG region, the federally approved and conforming RTP serves this purpose.

By California law, all CMPs perform the same functions and are consistent with the federal CMS requirements. These functions are:

- Highway performance monitoring and evaluation
- Multi-Modal performance monitoring and evaluation
- Transportation Demand Management (TDM)
- Land-Use programs and analysis
- Capital Improvement Program
- Deficiency plan

When unacceptable levels of congestion occur, the respective CMP contains a set of provisions for a “deficiency plan” to address the problems. A deficiency plan can be developed for specific problem areas or on a countywide-system basis. Projects implemented through the deficiency plan must, by State statute, have both mobility and air quality benefits. In many cases, the deficiency plan captures the benefits of the transportation projects that occur beyond the SCAG RTIP, such as non-federally funded/non-regionally significant projects.

In addition, other congestion management related processes are incorporated into the RTP. These include:

#### Regionally Significant Transportation Investment Studies (RSTIS)

Within the context of regional transportation planning, the Regionally Significant Transportation Investment Study (RSTIS) process provides a tool that requires a multi-modal transportation alternative analysis. RSTIS is the SCAG established process, adopted as part of the RTP process. In the federally designated nonattainment and maintenance areas, it is required to ensure other alternatives to SOV are considered in improving the mobility and air quality of a corridor or a sub-area.

#### Intelligent Transportation Systems (ITS)

SCAG's 2004 RTP contained an Intelligent Transportation System (ITS) program as a key element of SCAG's congestion reduction strategies. There are Transportation Management Centers (TMCs) using advanced integrated ITS technologies in all four Caltrans Districts (7, 8, 11, and 12) serving the SCAG region. New TMCs are under construction and will replace temporary facilities in Districts 7 and 8.

California Highway Patrol incident data, changeable message signs, and transit information are available to travelers on the internet, handheld computers, pagers, and other portable communications devices. Research completed for SCAG in 2002 by the Volpe National Laboratory indicated a high propensity of traveler information

users to shift departure time, reduce or eliminate trips, and shift mode in response to real time congestion information.

Currently, over 800 centerline miles of freeway system in the urbanized portion of the SCAG region have full traffic detection capabilities, and coverage with over 300 video cameras. Additional detection devices are being added on portions of Interstate -15, Route 71, and Route 110. Most of this information is available to the public through a variety of public and private information service providers.

Additionally, the local arterial ITS infrastructure is supported by over 15,000 detection devices and hundreds of video cameras, providing for optimized signal synchronization and traffic flow in response to conditions throughout the day. Local arterials are also being equipped with a growing number of the changeable message signs at critical locations such as major arterial and special event centers to provide real time motorist information to improve traffic management.

### III. Addressing the Gaps

This section addresses gaps in the 2004 RTP per SAFETEA-LU requirements. The order of the requirements is based on the FHWA Gap Analysis matrix in Appendix A and are summarized as follows:

#### 1. METROPOLITAN AND STATEWIDE TRANSPORTATION PLANNING FACTORS

##### A. Safety

SAFETEA-LU added a new stand-alone factor to “increase the *safety* of the transportation system for motorized and non-motorized users.” The FHWA Gap Analysis matrix suggests the following potential “closing the gap” steps:

- Review current safety goals, objectives, performance measures, and strategies.
- Ensure that adequate safety data are available to support development of a safety element in statewide and metropolitan transportation plans.
- Ensure outreach to and input from safety stakeholders.
- Incorporate the Strategic Highway Safety Plan (SHSP) element into statewide and metropolitan transportation plans (for metropolitan transportation plans, use the portion of the SHSP related to the MPO region).
- Incorporate the transit System Safety Program Plan (if available) into statewide and metropolitan transportation plans.
- Review TIP/STIP project selection criteria to ensure they reflect safety priorities (e.g., SHSP and/or MPO region’s priorities).

##### Addressing the Gap

SCAG’s Regional Council adopted the following goals for the 2004 RTP:

##### Adopted 2004 RTP Goals

- 1 Maximize **mobility** and **accessibility** for all people and goods in the region
- 2 Ensure travel **safety** and **reliability** for all people and goods in the region
- 3 **Preserve** and ensure a **sustainable** regional transportation system
- 4 Maximize the **productivity** of our transportation system
- 5 Protect the **environment**, improve air quality and promote energy efficiency
- 6 Encourage **land use and growth patterns** that complement our transportation investments

Goal 2 addressed safety for all people and goods. Furthermore, the guiding policies also emphasized the need to address safety as shown in the following list from the 2004 RTP:

#### Adopted 2004 RTP Policies

- 1 *Transportation investments shall be based on SCAG's adopted Regional Performance Indicators.*
- 2 ***Ensuring safety**, adequate maintenance, and efficiency of operations on the existing multi-modal transportation system will be RTP priorities and will be balanced against the need for system expansion investments.*
- 3 *RTP land use and growth strategies that differ from currently expected trends will require a collaborative implementation program that identifies required actions and policies by all affected agencies and sub-regions.*
- 4 *HOV gap closures that significantly increase transit and rideshare usage will be supported and encouraged, subject to Policy #1.*

Finally, the RTP performance measures also addressed safety as shown in the partial performance measures, indicators, and outcomes below. It notes that the 2004 RTP aimed to improve safety as measured by accidents per million vehicle miles by 0.5 percent despite the increase in demand on the transportation system. Safety performance objectives and outcomes were established based on extensive technical analysis work that involved reviewing and assessing historical highway and transit safety data and applying the data to assess the potential effectiveness of the investment strategies proposed in the plan. The work was fully coordinated with the relevant SCAG committees and task forces including the RTP Technical Advisory Committee. Safety stakeholders were allowed every opportunity, through the SCAG committee structure as well as public outreach and the public hearing process, to provide input in the development of the safety element of the plan. Clearly, safety was an area of emphasis in the 2004 RTP.

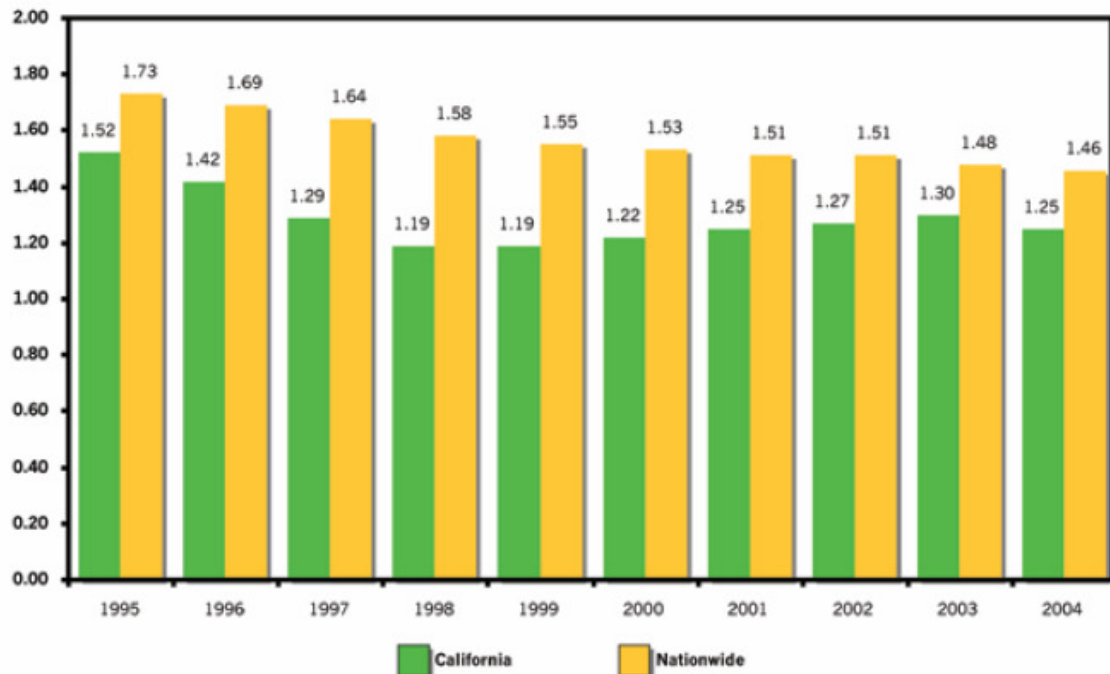
Performance Indicators, Measures and Outcome			
Performance Indicator	Performance Measure(s)	Definition	Performance Outcome
<b>Mobility</b>	<ul style="list-style-type: none"> <li>Average Daily Speed</li> <li>Average Daily Delay</li> </ul>	<p><u>Speed</u> - experienced by travelers regardless of mode</p> <p><u>Delay</u> - excess travel time resulting from the difference between a reference speed and actual speed. Total daily delay and daily delay per capita are the indicators used.</p>	<p>11% improvement</p> <p>37% improvement</p>
<b>Accessibility</b>	<ul style="list-style-type: none"> <li>Percent PM peak period work trips within 45 minutes of home</li> <li>Distribution of work trip travel times</li> </ul>		<p>Auto: 90%</p> <p>Transit: 35%</p> <p>Auto: 7% improvement</p> <p>Transit: 6% improvement</p>
<b>Reliability</b>	<ul style="list-style-type: none"> <li>Percent variation in travel time</li> </ul>	Day-to-day change in travel times experienced by travelers. Variability results from accidents, weather, road closures, system problems and other non-recurrent conditions.	10% improvement
<b>Safety</b>	<ul style="list-style-type: none"> <li>Accident Rates</li> </ul>	Measured in accidents per million vehicle miles by mode.	0.5 % improvement

Caltrans recently published the final version of the statewide SHSP in September 2006. The SHSP guides safety activities within the State of California regarding all users on all public roadways. The SHSP key points are as follows:

- Highlighted challenges to roadway user safety on California's roads.
- Painted the picture of fatalities experienced on California's roads.
- Proposed high-level strategies to reduce fatalities for each challenge.
- Serves as a guide for the implementation of specific projects and activities through 2010.

The SHSP presented the fatality rates (measured as fatalities per 100 million vehicle miles traveled) in California from 1995 through 2004 as shown below and compared them to the national average. It also identified 16 challenge areas that the State is committed to address to reduce these rates further and improve the safety of the traveling public on the State Highway System.





SCAG worked closely with Caltrans and other stakeholders to develop the SHSP and will incorporate specific action items in the 2008 RTP update.

## B. Security

SAFETEA-LU added a new stand-alone factor to “increase the *security* of the transportation system for motorized and non-motorized users.” The FHWA Gap Analysis matrix suggests the following potential “closing the gap” steps:

- Review current statewide and metropolitan transportation plans for emergency planning/security elements.
- Incorporate the transit System Security Program Plan (required for rail systems) into statewide and metropolitan transportation plans.
- Define the role of the public transportation operators/MPO/State in promoting security (e.g., review State/local legislation for roles and responsibilities).
- Identify critical facilities and transportation system elements (e.g., transit system, rails, ports, Interstate system, NHS routes, and STRAHNET routes).
- Develop security goals and appropriate strategies (this may be an important role for MPOs and/or States that are near or on the Mexico/Canada borders).

### Addressing the Gap

SCAG uses the following definitions to differentiate between safety and security:

- *Safety* is the protection of persons and property from *unintentional damage* or destruction caused by accidental or natural events.
- *Security* is the protection of persons or property from *intentional damage* or destruction caused by vandalism, criminal activity or terrorist attacks.<sup>2</sup>

The 2004 RTP addressed transportation system security. It aimed to help protect travelers and goods from both natural and man-made disasters. As part of the 2004 RTP development, the SCAG Highway and Finance Task Force adopted a set of guiding principles in developing the highway improvement strategies, including *"projects that enhance safety and security."* *As a matter of policy transportation capacity improvement projects that are included in the Plans and Programs must consider safety and security issues.*

There were approximately 15 projects in the 2004 RTP Baseline and Tier 2 list that directly enhanced the transportation system security. In addition, the 2004 RTP proposed over \$30 million in investment over and beyond the short-term commitments to enhance transportation security in the Region. It should be noted that funding for numerous projects had dual purposes in that, while serving other needs, they also enhanced security.

In the 2004 RTP, SCAG also recognized the importance of rail capacity in meeting national security needs. Approximately \$1.2 billion in rail capacity improvements and \$2.2 billion in rail mitigation investments were called for as part of the regional rail capacity improvement program. It was noted that *"Failure to build these improvements could jeopardize economic growth, environmental quality, **and national security.**"*

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<sup>2</sup> National Cooperative Highway Research Program Report 525 Volume 3, "Incorporating Security into the Transportation Planning Process." Daniel Dornan and M. Patricia Maier, 2005

### *Identification of Critical Facilities and Transportation System Elements*

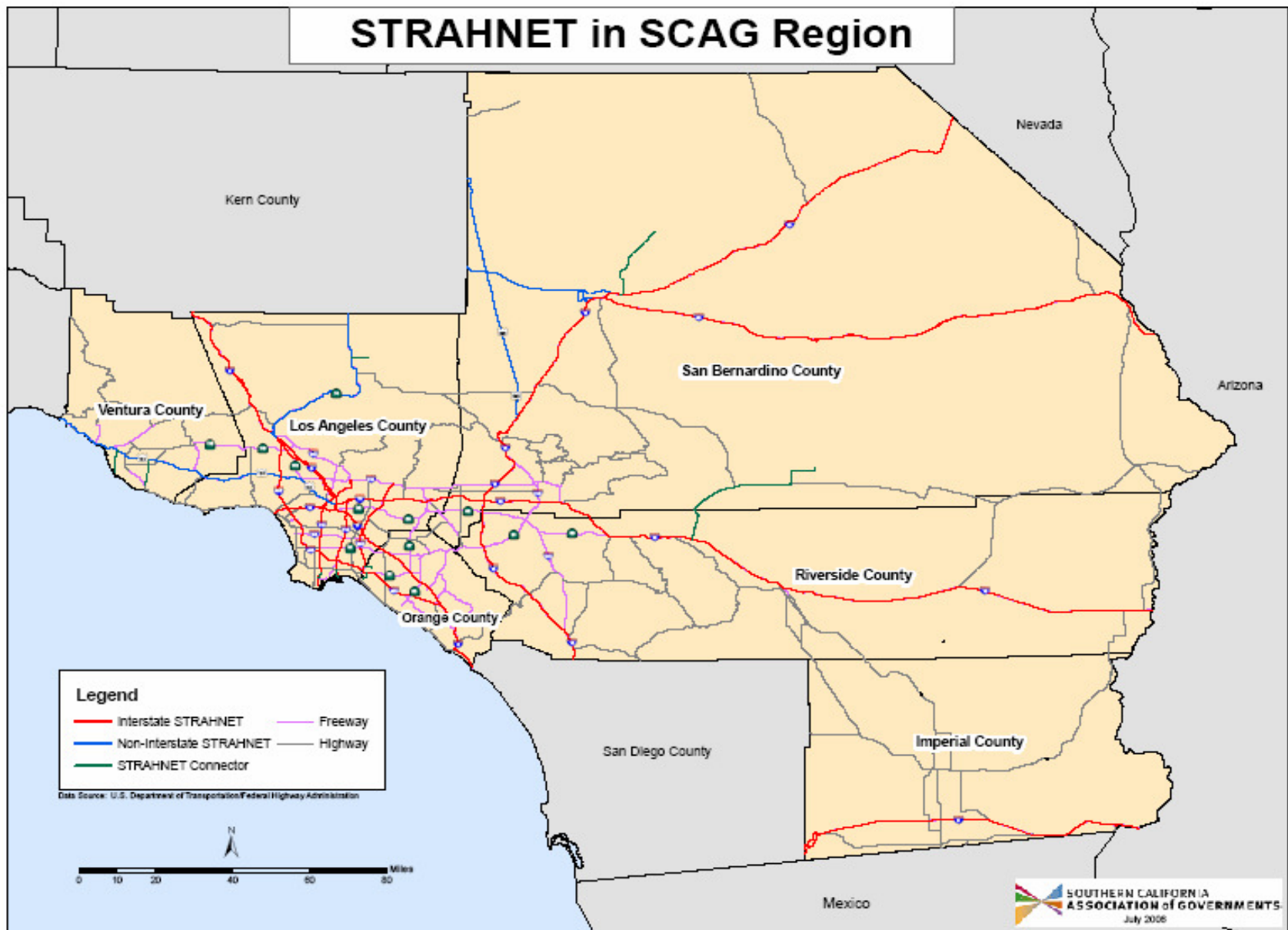
There have been several assessments of the critical infrastructure statewide, which include identification of the key transportation facilities. Assessments have been conducted by the following bodies:

- The Governor's Office of Emergency Services
- The California Attorney General's Office
- The California Highway Patrol (CHP) conducted a vulnerability assessment of the State's highway system and has issued a confidential report to the State Legislature

The results of these assessments have been shared with the transportation system operators and incorporated into their security planning. However, security considerations have precluded the inclusion or discussion of these critical system elements in public documents.

### *Strategic Highway Network (STRAHNET)*

In terms of national priorities, STRAHNET routes within the SCAG region are essential to readily accommodate the movement of military supplies and personnel in times of national emergency. STRAHNET routes include the National Interstate system, as well as key "non-interstate" routes and connectors to ports and military installations. An unclassified visual representation of the STRAHNET within the SCAG region follows on the next page.



### *Rail and Mass Transit Security*

Since the early 1990s, the California Public Utilities Commission has required that transit agencies operating rail systems prepare a comprehensive System Safety Program Plan (SSPP) that also included a security component. Accordingly, the Los Angeles County Metropolitan Transportation Authority (Metro) had a rail security plan in place that they were able to quickly apply in the development of transit System Security Program Plans. At the time of the 2004 RTP, all transit agencies had a security and emergency management plan, which detailed how the agency would coordinate with local and regional first responder (law enforcement and fire) agencies, their respective County Office of Emergency Services and the statewide Standardized Emergency Management System (SEMS).

Metro, as one of the nation's largest public transportation operators, has taken a lead role in developing transit security programs and planning, including the following:

- In July, 2002, the Metro Board adopted a security policy that included "... targeting security costs attributable to the Enterprise Fund at five percent (5%) of the total Metro operating cost, including security cost, in any year and starting on FY04."
- Metro received \$4.6 million in Urban Area Security Initiative (UASI) Transit System Security Grant Program funds from the Department of Homeland Security (DHS) in FY2003.
- Transit agencies that applied for DHS Transit Security Grants Program (TSGP) funds were required to prepare and submit a Security and Emergency Preparedness Plan (SEPP). The SEPP is a comprehensive plan that identifies how the transit agency would address any shortfalls in protection against Improvised Explosive Devices (IEDs) and other prevention, detection and response capabilities identified as a part of a risk assessment. As the lead Tier 1 transit agency in the SCAG region, Metro had prepared an SEPP at the time of the 2004 RTP.

Metro is also the lead agency on the development of the Regional Transit Security Strategy (RTSS). The RTSS is an overarching framework for the region with mode-specific goals and objectives as they relate to prevention, detection, response, and recovery as a sustainable effort to protect regional transit systems' critical infrastructure from terrorism, with an emphasis on explosives and non-conventional threats that would cause major loss of life and severe disruption to the system. As the MPO for the Region, SCAG supports the development of the RTSS.

In addition, transit agencies within the Region have undertaken some or all of the following security measures:

- Hiring more police and security officials
- Installing surveillance systems
- Providing terrorism awareness training for transit employees, including bus drivers, maintenance workers, and Amtrak workers
- Enhancing underground gas-detection systems (Metro)

### *Seaports*

The Department of Homeland Security (DHS) has designated the seaports of Long Beach and Los Angeles as Tier 1 ports, and Port Hueneme as Tier 4, where Tier 1 indicates the highest risk for potential terrorist actions<sup>3</sup>. Security at the ports is the joint responsibility of the U.S. Coast Guard, the U.S. Customs and Border Protection Agency, and local law enforcement and emergency service agencies. The U.S. Coast Guard leads the local Area Maritime Security Commission which coordinates activities and resources for all port stakeholders. Specific security measures have included the following:

- Expanded surveillance systems
- Increased marine and helicopter patrols
- Improved diving inspection capabilities
- Development of terminal security plans and implementation of security measures at each terminal as required by the federal Maritime Transportation Security Act of 2002
- Implementation of the Custom-Trade Partnership Against Terrorism (C-PAT) program, which is a voluntary alliance of shippers aimed at improving security standards throughout the cargo supply chain.

### *Airports*

Airport security planning is the joint responsibility of the federal Transportation Security Administration (TSA), the airlines and the individual airports. Airports in the SCAG region have upgraded their security systems since 9/11 using a variety of strategies including:

- Remodeling their infrastructure to provide secure space for the TSA security screeners
- Installing baggage screening devices
- Hiring additional police and bomb-sniffing dogs
- Installing vehicle checkpoints that may be activated as warranted by threat levels
- Installing additional surveillance systems
- Reinforcing perimeter fences.

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<sup>3</sup> Fiscal Year 2006 Infrastructure Protection Program. U.S. Department of Homeland Security, September 25, 2006.

Each airport has prepared a security plan in conjunction with local and regional emergency service providers.

### *International Border Crossings*

There are two international ports of entry along the Mexico-Imperial County border, located in Calexico (Calexico and Calexico-East) and Andrade (near Yuma, Arizona). Traffic from these ports enters California on the I-8 corridor. U.S. Customs and the Border Protection Agency within DHS are charged with the management and control of the official ports of entry. Security planning includes local emergency services as well as the CHP.

## **C. Environmental Planning Factor**

SAFETEA-LU expanded the environmental factor by adding the phrase “promote consistency of transportation plan and transportation improvements with State and local planned growth and economic development patterns.” The FHWA Gap Analysis matrix suggests the following potential “closing the gap” steps:

- MPOs/State Departments of Transportation (DOTs) review current process to coordinate transportation and land use/economic development planning.
- Where needed, consider methods to improve or expand coordination.
- Identify implementation timeframes.
- Include appropriate activities in statewide/metropolitan transportation planning work programs, as well as in MPO Participation Plans.

### Addressing the Gap

The 2004 RTP EIR addressed how the transportation improvements in the RTP were consistent with State and local planned growth and economic development patterns. The 2004 RTP and EIR (and the 1996 Regional Comprehensive Plan and Guide) contained growth projections and associated policies that either encouraged or discouraged growth in certain directions. For example in-fill growth, neighborhood protection and growth adjacent to transit nodes were encouraged while “leap frog” development was discouraged. SCAG’s growth projections are required to be consistent with California’s Department of Finance (DOF) projections for the Region. County and city General Plans are required to be consistent with regional plans including the RCP and RTP and associated growth projections. Thus there is a close relationship between the SCAG planning and growth projection processes and local planning.

Prior to the publication of the RTP, SCAG staff met with local planning agencies to ensure that the growth projections to be used in the RTP were consistent with local plans and forecasts. The 2004 RTP EIR analyzed the impact of the RTP plans, policies, projects and the anticipated growth. The EIR was circulated for public comment and comments were responded to as part of the CEQA process. No comments were received regarding the adequacy or consistency of the growth projections with state and local planned growth and economic development patterns.

## **2. ENVIRONMENTAL MITIGATION**

SAFETEA-LU requires MPO and statewide transportation plans to include “discussion” of environmental mitigation activities. It further requires that this discussion shall be developed with Federal, State, and Tribal wildlife, land management, and regulatory agencies. The FHWA Gap Analysis matrix suggests the following potential “closing the gap” steps:

- Metropolitan and statewide transportation plans must include a generalized discussion of potential mitigation activities (at the policy/strategy level, not project specific).
- Compare transportation plans with available State conservation plans, maps, and inventories.

### Addressing the Gap

SAFETEA-LU requires that “a long-range transportation plan shall include a discussion of the types of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan.” The EIR for the 2004 RTP described 195 strategy-level mitigation measures which could minimize significant adverse impacts.

The 2004 RTP mitigated environmental impacts to the maximum extent feasible. The adopted mitigation measures were typical for transportation and development projects and they have been demonstrated to be effective. A Mitigation Monitoring and Reporting Program for the 2004 RTP was also adopted to ensure implementation of the adopted mitigation measures to reduce significant effects on the environment. This monitoring program is in Table 1 of the 2004 RTP Final Environmental Impact Report.

As part of the Gap Analysis, SCAG conducted expanded consultation associated with the 2004 RTP EIR mitigation measures. These mitigation measures were developed with the inclusion of Federal, State, and Tribal wildlife, land management and regulatory agencies. As SCAG prepares the



next RTP, this consultation will be incorporated to the maximum extent feasible. Future planning activities, including environmental mitigation discussions, will be developed with the key agencies identified in SAFETEA-LU.

### **3. CONSULTATION AND COOPERATION**

SAFETEA-LU requires consultation with non-metropolitan local officials and Tribal governments in the development of the long-range statewide transportation plan and Statewide Transportation Improvement Program (STIP). It also requires that MPOs and State DOTs consult with local and state land use management, natural resource, historic preservation and other agencies in the development of transportation plans. The FHWA Gap Analysis matrix suggests the following potential “closing the gap” step:

- Compare transportation plans with available conservation plans and maps and/or compare with available inventories of historic or natural resources.

#### Addressing the Gap

Consultations associated with the 2004 RTP EIR included several notices that were published in newspapers, posted at the County Clerk’s office, distributed to the California State Clearinghouse as well as being mailed to an extensive distribution list at key points during the environmental review process. These consultations included the following notices:

- Notice of Preparation of the EIR
- Notice of Completion of the Draft EIR, the Draft Final EIR
- Notice of Determination.

The SCAG EIR distribution list contained approximately 1,500 contacts. It included local jurisdictions and land use management, natural resource, environmental protection, historic preservation, conservation and tribal representatives as identified in SAFETEA-LU. In addition, prior to the publication of the RTP, SCAG staff met with local planning agencies to ensure that the projections to be used in the RTP were consistent with local plans and forecasts.

These consultation practices are standard in the SCAG region and will be followed and expanded upon during the 2008 RTP update. In addition, SCAG conducted expanded consultation associated with the 2004 RTP EIR mitigation measures as part of the Gap Analysis in October 2006. The list of contacts, correspondence, notes and other material from these workshops is included in Appendix D.

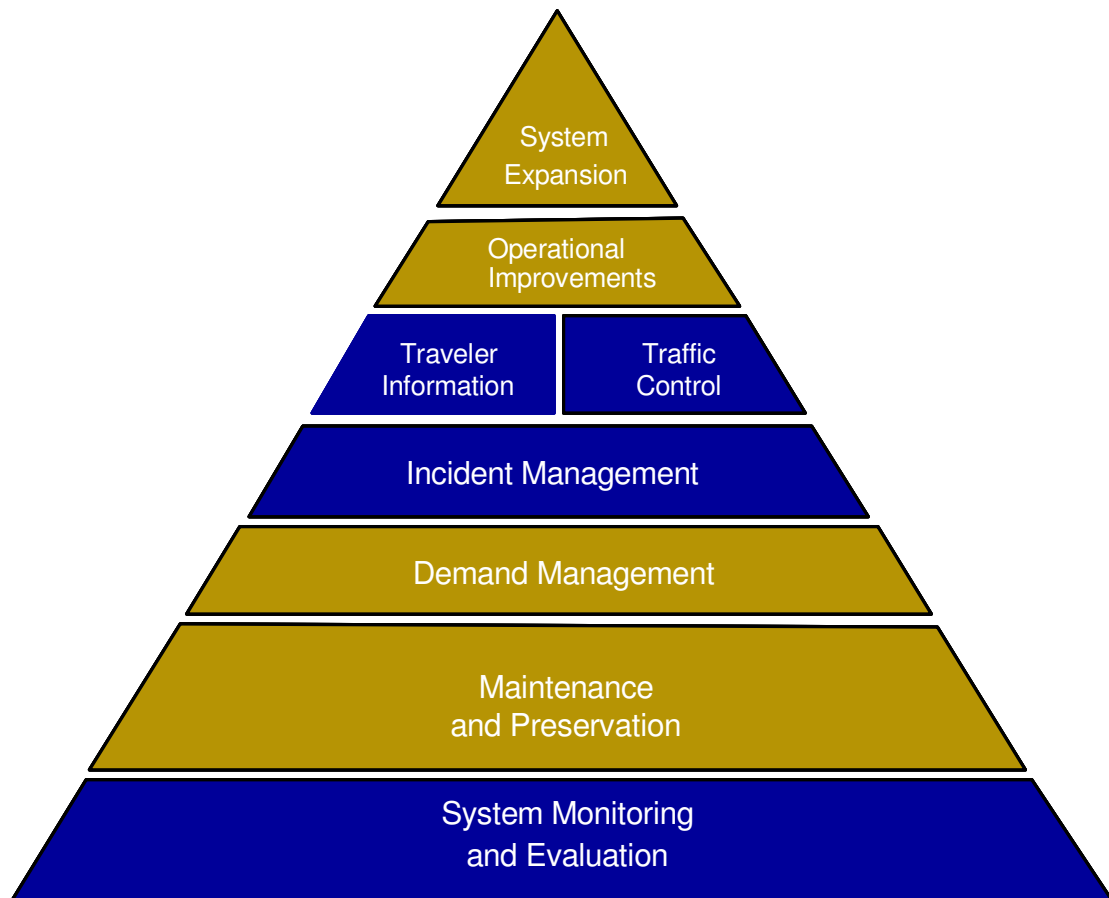
#### 4. TRANSPORTATION FACILITIES

SAFETEA-LU requires the inclusion of operations and management strategies in metropolitan transportation plans and long-range statewide transportation plans. The FHWA Gap Analysis matrix suggests the following potential “closing the gap” steps:

- Determine if the current transportation plan adequately addresses operations and management strategies (for both the transit and highway network).
- Develop/confirm performance measures for the transportation system operations and management, with the focus on mobility and safety.
- Consider and develop strategies and costs (capital and operational investment) to preserve the existing transportation system.

##### Addressing the Gap

The 2004 RTP addressed operations and management strategies as part of an overall system management philosophy and is depicted in the exhibit below (Figure 4.2 in the 2004 RTP).



This philosophy was built on a system monitoring and evaluation foundation and specifically identified maintenance and preservation as a critical component of system management. It also identified key operational strategies, including:

- Incident management
- Traffic control (e.g., ramp metering)
- Traveler information
- Operational strategies (i.e., physical improvements to help traffic flow and address bottlenecks).

The same philosophy was applied to other modes as well. For transit, operational strategies included fare payment integration through investments in Smart Card fare media and the implementation of Bus Rapid Transit (BRT).

The 2004 RTP also identified performance measures that addressed operational efficiency, including:

- Mobility – Travel time, speed
- Reliability – Variation in travel time
- Productivity – Percent utilization during peak demand conditions
- Safety – Accident rates by mode
- Preservation – Maintenance cost per capita to preserve the system at an acceptable condition such as base year
- Sustainability – Per capita cost of maintaining system preservation as well as system performance at an acceptable level

The 2004 RTP listed the performance results for the base case for each of these measures and set a goal to accomplish as part of the RTP implementation.

In order to achieve these performance goals, the RTP set aside investments in both preservation and operational strategies. Nearly \$6.6 billion were secured for roadway preservation (Table 4.1 in the 2004 RTP) projects while maintenance costs for transit were included as part of the county's expenditures.

The 2004 RTP also included a \$1.3 billion investment in operational strategies in the Region, including flow improving physical improvements, freeway service patrol, and transportation management systems (TMS).

Since the adoption of the 2004 RTP, SCAG has worked closely with Caltrans to implement its system management strategies. The State has embraced these strategies and committed to corridor system management studies to identify the most appropriate investments for each major corridor. The statewide elections in November includes Measure 1B- which, if approved by

the voters, would dedicate \$4.5 billion to corridor mobility improvements. The California Transportation Commission has developed draft guidelines for project selection from these funds and emphasized the need for corridor system management plans, a focus on operations, and having a framework for comprehensive performance assessments.

SCAG will continue to work with Caltrans and other stakeholders to focus on preservation and operations investments that improve the performance of the Region's multi-modal transportation system. The work and the details of these investments will be reported in the 2008 RTP.

## **IV. Reaffirmation of the Valid Portions of the 2004 RTP**

### **1. TRANSPORTATION CONFORMITY**

As discussed in this Gap Analysis, there are no changes to the any of the required conformity components of the 2004 RTP, i.e., list and scope of projects, changes to financial constraint, timely implementation of transportation control measures (TCMs), or inter-agency consultation. Therefore, there is no need for a new regional emission analysis, financial constraint analysis, or timely implementation of TCMs analysis. Consequently, this document reaffirms the validity of conformity on the 2004 RTP made by FHWA/FTA on October 2, 2006.

### **2. FISCAL CONSTRAINT**

It is clear that this administrative modification to the 2004 RTP, as amended in July 2006, does not propose any change to scope, cost or delivery schedule for any of the projects and programs identified in the plan. Furthermore, the underlying growth forecast and revenue assumptions contained in the current plan will not be changed by the proposed action. Therefore, the fiscal integrity of the 2004 RTP, as currently adopted, remains valid and intact.

### **3. ENVIRONMENTAL IMPACT**

After completing the programmatic environmental assessment of these changes, SCAG finds that the adoption of the proposed administrative modification would not result in either new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The proposed changes as expressed in the administrative modification, therefore, are not substantial changes which would require major revisions to the PEIR. Furthermore, SCAG finds that the administrative modification does not significantly affect the comparison of alternatives or the potential significant impacts previously disclosed in the 2004 PEIR. As such, SCAG has assessed the administrative modification at the programmatic level, and finds that inclusion of this supplemental documentation is consistent with the analysis, mitigation measures and Findings of Fact contained in the 2004 RTP EIR. Accordingly, a subsequent or supplemental EIR is not required and this SAFETEA-LU Addendum to the 2004 RTP PEIR fulfills the requirements of CEQA.

## **V. Conclusion**

In conclusion, this 'administrative modification' to SCAG's existing 2004 RTP brings it into conformance with the planning requirements of the SAFETEA-LU. Therefore, a SAFETEA-LU compliant Regional Transportation Plan will be in place in the SCAG region upon adoption of this document by SCAG's Regional Council and subsequent certification by FHWA/FTA. This will allow SCAG to continue moving forward with the implementation of the 2004 RTP beyond July 1, 2007.

In preparing this document staff reviewed and analyzed the SAFETEA-LU bill as well as all pertinent directives, interim guidance as well as proposed new rules issued by FHWA/FTA. In particular, this document follows and addresses the new requirements identified in a Gap Matrix made available in April of this year by FHWA attached here as Appendix A.

Section II of this document describes how and where some of the new requirements were already met in the 2004 RTP. Section III addresses all the new and/or expanded requirements that were not fully met. The 2008 RTP will further expand on these new requirements as appropriate.

It is important to note that this administrative modification does not change the projects defined in the 2004 SCAG RTP and therefore does not, in any way, change the finance plan to deliver these projects. Therefore, this document does not change the conformity findings of the 2004 RTP nor does it result in any additional environmental impact beyond the range addressed by the CEQA document associated with the 2004 RTP.

Therefore, SCAG hopes and believes that FHWA/FTA will find this administrative amendment to be satisfactory and adequate in meeting the planning requirements of SAFETEA-LU, thereby, deeming the 2004 RTP to be compliant with SAFETEA-LU. SCAG will work closely with FHWA/FTA in addressing any questions or concerns that may arise to ensure timely certification of this amendment.

## **APPENDICES**